

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF NEW YORK

-----X
NINA STRASS and ALLAN GOLD,

14-CV-6924-PKC-VMS

Plaintiffs,

**RESPONSE TO POST-DEPOSITION
DEMAND PURSUANT TO RULE 34 OF
THE F.R.C.P.**

-VS-

COSTCO WHOLESALE CORPORATION,

Defendant
-----X

COUNSELORS:

Defendant COSTCO WHOLESALE CORPORATION (hereinafter "Costco"), by its attorneys, Wilson Elser Moskowitz Edelman & Dicker LLP, for its Response to Plaintiff's First Request for Production of Documents sets forth as follows:

Request #1:

Full name, address, work title of "Kimani/Kumani", manager or Assistant Manager working on subject date of accident.

Response to Request #1:

Kimani Edwards is currently employed as a Membership Manager at the North Brunswick Costco warehouse located at 100 Grand Avenue, North Brunswick, New Jersey, 08902. Attached hereto is an Affidavit executed by Mr. Edwards pursuant to the Conference Order of Judge Scanlon dated September 29, 2015 confirming that he neither saw the incident in question nor did he discuss the incident with the plaintiff.

Defendant Costco reserves its right to supplement and/or amend this Response up to and including the time of trial in accordance with the Federal Rules of Civil Procedure.

Dated: New York, New York
October 12, 2015

Yours, etc.,

WILSON, ELSER, MOSKOWITZ, EDELMAN & DICKER LLP

By: /s/ Rachel A. Rubin
Rachel A. Rubin, Esq.
Attorneys for Defendant
COSTCO WHOLESALE CORPORATION
150 East 42nd Street
New York, New York 10017
(212) 490-3000
Our File No.: 15805.00010

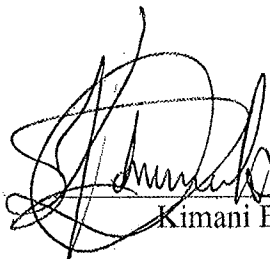
TO: LOZNER & MASTROPIETRO
Attorneys for Plaintiffs
1901 Emmons Ave., Suite 206
Brooklyn, New York 11235
(718) 615-0044
Attn: Michael Byk, Esq.

occurred.

8. I did not witness Ms. Strass' fall.
9. I have no personal knowledge of where she allegedly fell.
10. I have no personal knowledge of what allegedly caused her to fall.
11. I did not inspect the area where the fall allegedly took place.
12. Further, your affiant sayeth naught.

Sworn to before me this 8 day of October 2015

Kristine Millroy (Notary Public)


Kimani Edwards



AFFIDAVIT OF SERVICE BY MAIL

STATE OF NEW YORK)
) ss.:
COUNTY OF NEW YORK)

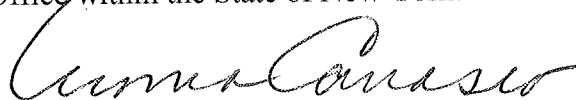
NORMA CARRASCO, being duly sworn, deposes and says: that deponent is not a party to this action, is over 18 years of age and resides in Queens County, New York.

On the 12th day of October 2015, deponent served the within document(s) entitled

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THE F.R.C.P.**
upon:

LOZNER & MASTROPIETRO
Attorneys for Plaintiffs
1901 Emmons Avenue, Suite 206
Brooklyn, New York 11235

at the address(es) designated by said attorney(s) for that purpose by depositing a true copy of same enclosed in a postpaid, properly addressed wrapper, in an official depository under the exclusive care and custody of the United States Post Office within the State of New York.



NORMA CARRASCO

Sworn to before me this
12th day of October, 2015



Notary Public